

**MINUTES OF THE REGULAR MEETING OF THE
MISSION VALLEY PLANNING GROUP**

February 05, 2014

MEMBERS PRESENT

Marla Bell
Jason Broad
John Carson
Gina Cord
Bob Cummings
Perry Dealy
Randall Dolph
Alan Grant
Elizabeth Leventhal
John Nugent
Doris Payne-Camp
Alex Plishner
Karen Ruggels
Marco Sessa
Dottie Surdi
Josh Weiselberg

MEMBERS ABSENT

Deborah Bossmeyer
Paul Brown
Monica Davis
Robert Doherty
John LaRaia
Brittany Ruggels

GUESTS

Stephanie Fagan
Ken Grant
Naomi Grant Hartley
Derek Hulse
Rob Hutsel
Ben Kalasho
Kathy Lippant
Jeremy Ogul

FEDERAL REP'S STAFF

Jonathan Hardy

CITY STAFF

Lx Fangoniloa
Anne Jarque
Adam McElroy
Gene Matter
Kimberly Ricci
Brian Schoenfisch

COUNTY STAFF

ASSEMBLY STAFF

Katelyn Hailey

President Dottie Surdi called the regular meeting of the Mission Valley Planning Group (MVPG) to order at 12:02 p.m. at the Mission Valley Library Community Room located at 2123 Fenton Parkway, San Diego, CA.

A. CALL TO ORDER

Verify Quorum: 16 members were present, constituting a quorum.

B. PLEDGE OF ALLEGIANCE – Marla Bell led the Pledge of Allegiance.

C. INTRODUCTIONS / OPENING REMARKS/ AGENDA CHANGE

Dottie Surdi welcomed everyone to the meeting and reminded those present to sign the sign in sheets.

Guests introduced themselves.

D. APPROVAL OF MINUTES

Alex Plishner moved to approve the minutes of the January 08, 2014 regular meeting. Perry Dealy seconded the motion. Minutes were approved 13 – 0 –3 , with Jason Broad, Karen Ruggels, and Dottie Surdi abstaining.

E. PUBLIC INPUT – NON-AGENDA ITEMS

Kathy Lippant, from the North City Prevention Coalition passed out the organizations newsletter and emphasized the meeting on February 13, 2014 with members of the San Diego Police Department and San Diego Sheriff's Department Task Force on the growing problem of Butane Hash oil Extraction Lab explosions in San Diego County. More information at: klenyoun@saysandiego.org

Ben Kalasho from the San Diego East County Chaldean American Chamber introduced the organization and explained the mission as: The San Diego East County Chaldean American Chamber of Commerce operates as a nonprofit organization of business people and professionals who seek to help build and assist in the growth of our local economy. The Chamber envisions achieving this goal through synergy and collaboration with other individuals in accord. The Chambers objective is to foster business and other contacts and serve as a networking tool. In addition, the Chamber hopes to promote Chaldean American accomplishments in California as well as highlight their contributions to their local communities. <http://www.chaldeanamericanchamber.com/>

Karen Ruggels asked about the proper procedure for approving the agenda. After discussion, Dottie Surdi will research and report at the March meeting.

F. MEMBERSHIP BUSINESS – John Nugent

John reviewed the materials regarding the MVPG annual meeting and election on March 05, 2014 that were emailed to the MVPG members and printed on page 5 of the November 15, 2013, on page 11 of December 13, 2013 and page 11 of the January 17, 2014 issues of the Mission Valley News.

John invited any community members in attendance who are interested in serving on the Board to meet with him after the meeting.

Details of 2014 MVPG Biannual Membership Meeting:

The 2014 biannual membership meeting will be held on Wednesday March 05, 2014 at 12:00 noon at the Mission Valley Library, 2123 Fenton Parkway, San Diego, CA.

A minimum of twenty-five (25) eligible members are required to be in attendance and qualified to vote for there to be a quorum for the purpose of electing subsequent planning group members, which is the primary purpose of the meeting.

2014 Election Report

Following are the candidates that will stand for election on Wednesday March 05, 2014. Qualified members may be nominated from the floor at the membership meeting. All terms will expire in 2018.

Property Taxpayer:

- Gina Cord
- Paul Brown (requires a vote of 2/3rd's)
- Marco Sessa

Local Businessperson

- Deborah Bossmeyer
- Robert Doherty

Resident

- Randall Dolph (requires a vote of 2/3rd's)
- Dottie Surdi

Property Owner

- Bob Cummings
- Alan Grant
- Alex Plishner

If all individuals on the ballot are elected at the 2014 biannual membership meeting the MVPG will still have the following positions open for future nomination and election.

Property Taxpayer-term ending March 2016

Local Businessperson -term ending March 2018

Resident--term ending March 2018

Candidate Forum

Per the MVPG By-laws, John Nugent provided an opportunity for candidates to speak and answer questions about their candidacy.

Marla Bell and Doris Payne-Camp volunteered to assist with the election and counting of ballots at the March annual meeting.

G. TREASURER'S REPORT

Bob Doherty was absent but sent an email reporting that the balance is \$1,414.43.

H. PUBLIC SAFETY REPORTS

1. Police Department – Officer Adam McElroy

Officer McElroy provided a Mission Valley crime update, reported on his work with environmental services to address a homeless issue and discussed the RSVP program, asking those over 50 years of age to consider volunteering for the program.

Fire Department – No report.

I. GOVERNMENTAL STAFF REPORTS

1. Mayor's Office

Kimberly Ricci distributed the February 2014 newsletter and reported on the groundbreaking of the new Fire Station 45 in Mission, and showed renderings of the Fire Station design and pictures of the groundbreaking event.

The 16,000-square-foot station in Mission Valley will be across Friars Road from Qualcomm Stadium, where a temporary facility has been for seven years.

The two-story structure will have 16 dormitory-style rooms and five vehicle bays, according to the city of San Diego.

Two fire vehicles and the San Diego Fire-Rescue Department's Hazardous Materials Team will be located at the facility.

The HazMat crew will move from Mira Mesa to the more centrally located new facility when it's complete.

2. State Representatives

a. Senate Member's Office – Sen. Marty Block from the 39th Senate District
Katelyn Hailey distributed the January/February newsletter and reported that the legislature is back in session with the bill cut off being February 28th. Katelyn reviewed two bills introduced by Sen Block, SB 911-Improved Care for the Elderly in Residential Care Facilities and SB 939- Human Trafficking.

b. Assembly Member's Office – Shirley Weber from the 79th Assembly District
George Gastil was not present. No report.

3. Federal Representatives

a. Congresswoman Susan Davis' Office --

Jonathan Hardy distributed the February 2014 "Davis Dispatch" and highlighted the securing of funding for improvements to the San Ysidro Port of Entry and has a high priority for reinstating long term unemployment benefits.

Jonathan encouraged members to contact him about signing up for their enewsletter and updates.

Josh Weiselberg inquired about expanding services at the Post Office to compete with FedEx.

b. Congressman Scott Peters' Office – Sarah Czarrecki was not present. No report.

J. NEW BUSINESS

1. Homewood Suites Mission Valley-Site Development Permit (Project 322356)-Stephen L. Jones-Action Item

Randall Dolph reported that the project was removed from the DAB February 2014 agenda at the request of the applicant.

Since the DAB did not take an action on this project, and the applicant was not in attendance today, Randall Dolph requested that the Homewood Suites Mission Valley Site agenda item be removed from the agenda.

Randall Dolph moved to amend the agenda to remove the agenda item of the Homewood Suites Mission Valley. Marco Sessa seconded the motion. Motion was approved 16- 0 -0.

2. Murphy Canyon Channel Maintenance Project-MSWSMP SCR-Anne Jarque-Information Item

Anne Jarque introduced the Murphy Canyon Channel Maintenance Project and introduced Gene Matter, Assistant Deputy Director, City of San Diego Transportation & Storm Water Department.

Gene handed out a map and description of the project, which is copied below:

Scope of Work

The Transportation & Storm Water Department (T&SWD) has submitted an application to Development Services for a substantial conformance review (SCR), Process 2, to conduct maintenance and mitigation activities associated with concrete and earthen channel facilities located near 9355 Friars Road (Qualcomm Stadium) in the Murphy Canyon/Mission Valley area.

The periodic maintenance of this priority channel is necessary to provide flood protection to surrounding properties and to protect the San Diego River from impacts due to downstream transport of accumulated sediment, trash and debris from the project area.

As identified in the City's Master Storm Water System Maintenance Program, or Master Maintenance Program (MMP), the drainage facilities in this area include:

- MMP Maps 58 - Murphy Canyon Creek Channel (commonly known as the Murphy Creek or Stadium channel) Reaches 1 & 2; and
- MMP 58a - Murphy Canyon Creek Channel, Reaches 3 & 4.

T&SWD has narrowed the project scope to the two facilities identified on MMP Map 58 – Murphy Canyon Creek, Reaches 1 & 2 only. Based on the analysis described in the Individual Hydraulic and Hydrology Assessment (IHHA), Reaches 3 & 4 do not require maintenance at this time.

Project Location and Regional Setting

The project area occupies an estimated 2.68 acres within Murphy Canyon, between the Qualcomm Stadium parking lot to the west, Interstate-15 (I-15) to the east, Interstate-8 (I-8) and San Diego River to the south, and San Diego Mission Road to the north.

Maintenance Methodology

The proposed project involves the periodic removal of trash, debris, vegetation and accumulated sediment from Reaches 1 & 2 of Murphy Canyon Creek. The proposed maintenance includes the mechanized removal of sediment and vegetation from the channel using heavy equipment. The project incorporates removal of approximately 7,000–10,000 cubic yards of material at a depth of five to seven feet from the earthen channel (Reach 1); and approximately 1,000–1,500 cubic yards of material at a depth of one to four feet of sediment from the concrete channel (Reach 2).

Project Duration

Pending agency authorizations, the project is anticipated to begin in the Fall 2014 when the sensitive bird breeding season ends. Proposed channel maintenance would take approximately six to eight weeks (7 days a week). Additional time may be required to remove any stockpile material from the site after the channel maintenance is complete.

Additional Information

Additional information, including the Master Maintenance Program and Murphy Canyon Creek Channel Maintenance Project site-specific individual assessments, are on the City's website at:

<http://www.sandiego.gov/stormwater/services/mswsmp.shtml>;

and

<http://www.sandiego.gov/stormwater/services/channels/maintenance.shtml>

3. Civita-Ryland Homes- Ryan Green-Information Item

Marco Sessa introduced the project and located it within the larger Civita Master Plan.

Marco introduced Ryan Green from Rylan Homes who reviewed the specifics of the project including design concepts, elevations, floor plans and architectural concepts.

Randall Dolph reported on the MVPG DESIGN ADVISORY BOARD (DAB) meeting on February 04, 2014, the minutes of which are copied below:

Mission Valley Planning Group

February 4, 2014

TO: Dottie Surdi, MVPG Chair

FROM: Randy Dolph, DAB Chair

SUBJECT: Report of February 3, 2014 DAB Meeting

The meeting was called to order at 3:30 P.M. in the Mission Valley Library. Members present were: Bruce Warren, Paul Dugas, Dottie Surdi, and Randy Dolph. Applicant representatives included Marco Sessa (Sudberry), Ryan Green (Ryland Homes), Craig Moraes (Ryland Homes), Debra Fauese (Woodley Architecture), and Mike Woodley (Woodley Architecture).

Ryland Homes / Civita – Informational Item

Marco Sessa introduced the team and provided a quick overview of the project. Selected components of the presentation included the following:

- The scope of the project includes 58 single-family detached units on a 4.98 acre parcel (Ridgetop West) toward the northwest corner of Civita. The units are arranged around a private ring road, with entries and driveways fronting the road. Units toward the center of the development have back yards paired with the opposing unit, while units along the perimeter have full back yards.
- The single family homes are three stories in height (30' max), and range in area from approximately 1,900-2,300 square feet.
- The first story contains the entry, garage, and separate room that may serve as a bedroom, media room, or den/office. The second story contains the kitchen and living/dining areas, in addition to an outdoor balcony. The third level houses the bedrooms and bathrooms.
- The exterior facades of the building are a mix of modernism coupled with historical Spanish elements. Building materials included stucco, with large bold colored masses, adhered stone/limestone, clay tile accents, and wood.
- Because of the 30-foot height limitation, the roof profiles are flat, utilizing a membrane roofing system. No occupancy is proposed for the roof.
- Construction is estimated to begin in November, with sales commencing in January. Pricing is estimated to begin in the mid \$700,000 range.

Overall, the project was well received by the DAB, with comments and questions related to: uniformity of building height, range of facade styles and colors, mirroring units on the perimeter of the site to create additional variety, roof construction, and landscaping (especially concern over using palm trees). When asked about whether this development would trigger any traffic-related improvements, Sessa commented that it would not. Since the project was before the board for information only, no formal action was taken.

The DAB thanked the team for the presentation.

The meeting was adjourned at 4:30 P.M., with the next meeting tentatively scheduled for Monday, March 3, 2014.

4. Point-in-Time Homeless Count “WeALLCount”-January 24, 2014- San Diego River-Mission Valley portion- Rob Hutsel-Information Item

Rob Hutsel discussed the San Diego River Park Foundations participation in the Point-in-Time Homeless Count “WeALLCount” on January 24, 2014.

Rob estimated that there are approximately 220 people living along the river, approximately 75 in individual camps with the remaining being part of larger camps/shelters.

Rob discussed the ongoing efforts to clean the San Diego River and some of the issues that people living along the river present, and the ongoing efforts to resolve these issues.

K. OLD BUSINESS

1. City Planning Update

Brian Schoenfisch reported on the progress on updating the Grantville master plan and preparations for putting money in the FY 2015 budget for updating the Mission Valley Master Plan.

Brian thanked Rob Hutsel from the San Diego River Park Foundation for giving Bill Fulton a tour of the San Diego River.

There was a question regarding The City of San Diego's amendment to the Serra Mesa Community Plan for the purposes of adding a road connection between the internal roads in the Civita (Quarry Falls) development in Mission Valley and Phyllis Place in Serra Mesa. Brian reported that discussions are continuing and involve SANDAG- The San Diego Association of Governments.

Brian was asked about the status of the proposed HAWK (High-Intensity Activated crossWalK beacon) traffic signals used to stop road traffic and allow pedestrians to cross safely. He will inquire and report back to MVPG.

2. Council Office-District 7- Councilmember Scott Sherman

Lx Fangonilo reported on a question at a previous meeting regarding road repair priorities. Lx reported that he could not locate a city priority and discussed the current street maintenance survey method and how priorities are often set based on community complaints.

Lx was asked about the status of the HWY 163 project at Hazard Center/Friars Road. He will inquire and report back to MVPG.

3. Mission Valley Survey- John Carson

John Carson reviewed the potential to apply for a \$5,000.00 grant, the details of the grant are copied below:

Application Guidelines and Criteria

Purpose

The Malin Burnham San Diego Center for Civic Engagement (the Center) is the community involvement arm of The San Diego Foundation established to drive the implementation of *Our Greater San Diego Vision*, mobilize stakeholders to develop solutions to community issues and better align donor support with the needs of the region. Through innovative approaches to community participation and targeted grantmaking, the Center will elevate traditional public involvement to drive change in our neighborhoods.

The Great Neighborhood Challenge was created to sponsor community awards to encourage the creation of projects and ideas proposed to improve our neighborhoods. The program will encourage and support small-scale efforts that build on assets already existing in communities—open space, neighborhood watch, small business, volunteers, arts, existing faith-based groups, PTAs, etc.—and that enable people to work together for a common cause.

The Great Neighborhood Challenge will convene residents who would not have had the opportunity to meet otherwise, build the internal capacity of neighbors and demonstrate broad community support and volunteer participation. The Center will support projects that help transition community volunteers into civic leaders, address significant neighborhood issues and offer clear benefits to the entire neighborhood.

The Center will focus on under-organized communities. These include communities that do not have an equitable number of organized and recognized neighborhood groups addressing local quality of life issues when compared with other areas of the region and/or communities where residents are not arranged in a structured order to address a specific goal.

Program Criteria

- The requested amount must be between \$1,000-\$5,000;
- The applicant group must have an annual operating budget of less than \$50,000;
- The project must be actionable at the time the award is received and completed within six to twelve months;
- Applicant group members must be led by at least three or more unrelated individuals, with at least one living in the defined neighborhood or community that the project is serving;
- Projects must employ and build on the strengths and assets already existing in the community, such as residents' specific skills, volunteer skills and labor or a neighborhood's public spaces, institutions, businesses, faith organizations, schools, or other community partners;
- Applicant group must be a 501(c)3 nonprofit organization, or have a fiscal sponsor through which to filter the financial award (in special circumstances, assistance with finding a [fiscal sponsor](#) can be provided on a case-by-case basis);
- All projects must be located in an under-organized community within San Diego County. You will be asked to explain why your community fits within our guidelines of "under-organized" in the application.

Preference will be given to applications from groups that:

- Reside in [low-income, under-served communities](#) (please refer to our [FAQs](#) for more information).
- Propose projects that tie to one or more priorities as identified in the [Our Greater San Diego Vision](#) report.

Who Is Not Eligible To Apply?

- Organizations with an annual operating budget of \$50,000 or over;
- Projects not located in under-organized communities;
- For-profit businesses or public institutions, such as schools or government agencies;
- Groups with less than three leaders;
- Groups whose leaders are related;
- Groups whose leaders do not live in the neighborhood served;
- Employees of The San Diego Foundation, immediate relatives of The San Diego Foundation employees, The San Diego Foundation Board of Governors, the San

Diego Center for Civic Engagement Leadership Council members, and Civic Engagement Vision Action Team members.

Application and Selection Process

- Applicants must complete and submit the online application by **no later than 5:00 p.m. PST on Monday, March 10, 2014.**
- The volunteer application review committee reviews all submissions and selects semi-finalists.
- Semi-finalists are selected and asked to submit additional information including a detailed budget by **no later than 5:00 p.m. PST on Friday, April 11, 2014.**
- The volunteer application review committee reviews semi-finalists' submissions.
- Selected finalists attend a unique one-day workshop on Tuesday, June 3, 2014 to collectively select projects to be awarded.
- The San Diego Center of Civic Engagement announces and distributes the awards in July 2014.
- Awarded projects begin July 2014.
- Groups of awarded projects attend three to four Neighborhood Learning Community workshops to share experiences and best practices and learn about new tools and techniques.
- All awarded projects are completed by June 30, 2015.

Workshops will be offered throughout the county to answer questions about the application and selection process between January 13 – March 10, 2014. Please [refer to our Updates page](#) for times and locations.

For more information, please refer to our [FAQs page](#).

Questions? Please contact Vi Nguyen, Civic Engagement Initiatives Manager, at:

- **Email:** vi@sdfoundation.org (preferred)
- **Phone:** 619-814-1395
- **Google Chat/Hangout:** “GreatNeighborhoodChallengeSD”

After discussion John was encouraged to prepare a grant application for review and approval at the March 2014 meeting. Perry Dealy offered to assist and Deborah Bossmeyer will be asked to assist.

4. Subcommittee Reports

- a. Design Advisory Board
See DAB report under agenda item “Civita-Ryland Homes- Ryan Green-Information Item”. The next meeting is tentatively scheduled for Monday, March 3, 2014.
- b. Stadium Committee
Randall Dolph reported that the San Diego Chargers announced they will not exercise an escape clause in their stadium lease with the city, meaning they'll remain in San Diego/Mission Valley for at least one more season.
- c. San Diego River Coalition
Alan Grant reported that the January meeting had a presentation on the Bay – Delta Conservation Plan by Mike Madigan, San Diego County Water Authority. The agenda for the February meeting has not been published yet.

- d. Community Planners Committee (CPC)
Dottie Surdi reported that she had attended the January meeting and will send out minutes when they are available.
- e. Parks Subcommittee
Jason Broad had no report
- f. Uptown Regional Bike Corridor Advisory Group
Brittany Ruggels -No report.
- g. Public Health, Safety and Welfare
Doris Payne-Camp reported on the MVPG Public Health and Welfare Subcommittee meeting held on January 30, 2014, the meeting minutes are copied below:

Public Health, Safety and Welfare Subcommittee Report

February 5, 2014 MVPG Meeting

Subcommittee met January 30 with 2 subcommittee members and 4 interested members of the MV Planning Group as well as guests Casey Smith, District Director of the First San Diego River Improvement District; Mike Cook, Maintenance Manager of the District; and Rob Hutsel of the SD River Park Foundation.

Purpose of the meeting:

To better understand FSDRIP and its jurisdiction and the way in which decisions are made about the River Path and other San Diego River Park amenities that overlap the FSDRIP easement.

What prompted this discussion?

FSDRIP's removal of seating along the river path which contradicts the vision of the new SD River Park Master Plan. The benches were removed at the request of one community along the river path, the Union Square homeowners association. There was no public discussion of alternatives or the impact of the decision. The action cannot be reversed.

What did we learn?

- Although managed by the City of SD Parks and Rec Department, FSDRIP is not a public body. It is a maintenance assessment district founded in 1987 and funded by property owners within the district (Rte. 163 to Qualcomm Way, Friars Road to Interstate 8).
- The governing documents are a FSDRIP Specific Plan (1984) and the FSDRIP Natural Resource Management Plan (2004), both adopted by the City Council. There is an Annual Assessment Engineer's Report Annual Update, the most recent being one for FY14, which shows the rates property owners are assessed for the district's maintenance.

- The river path is an easement through the private property of owners in the district. As such, Union Square homeowners maintain that the path behind their homes and outside their fence is their property although it is used by the public, maintained by fees from all property owners in the district, and managed by the city.
- In 2011 Union Square HOA requested that the Parks and Recreation Dept. (on behalf of FSDRIP) remove the three benches located directly behind their homes because they were being disturbed by those using the benches during day and evening hours (there are no lights along the path and it is not supposed to be used at night in order to protect the wildlife which has its habitat there). Union Square is a gated community but has no security patrols of its own for the safety and security of its residents and property. Thus, there are no regular patrols in this area. The HOA maintains that the benches along the path were used by vagrants who were noisy, dirty and engaged in illicit activities.
- Parks and Rec told the homeowners that that the appropriate place to initiate public discussion about their request was the FSDRIP Maintenance Assessment District (MAD) Advisory Committee.
- In a letter to the Union Square in March 2012, city staff offered 4 options to *“ameliorate the presence of transients at the benches adjacent to Union Square.”* These options were:
 1. Remove benches and concrete pads from the area adjacent to Union Square. The benches could be removed if the pads were reused for an alternative passive recreation use and couldn't be removed without an amendment to the FSDRIP specific plan. The HOA would have to fund the costs associated with the process for such an amendment (which would have included consideration by the Mission Valley Planning Group.)
 2. Relocate existing benches to new pads and install new concrete pads elsewhere in FSDRIP. This could not be done without an environmental review process, amended drawings and an approved permit.
 3. Retrofit existing benches to prevent sleeping/laying down. Installation of raised architectural pieces on the benches would allow the benches to be utilized for their original purpose while at the same time preventing illegal lodging or sleeping.
 4. Reuse concrete pad for an alternative “Passive Recreation Facility” and relocate the existing benches. This option included educational/interpretive panels (which were finally installed) although it could have included exercise stations or other uses.
- Union Square chose to pay for most of the bench removal. Several other organizations participated in funding information panels that were installed on the existing pads. The benches were not reused. A fourth picnic table and benches were later removed from the area adjacent to the new path (by 163) beyond the Union Square homes so an informational kiosk can be installed on the existing pad.
- There is now no seating along the northside path from 163 nearly to Camino del Este – some of the loveliest area for viewing and enjoying the River.
- Since no concrete pads can be added without environmental review, no new benches can be added along the FSDRIP path to rest and enjoy the river. Furthermore, irrigation valves are being moved underground so the steel boxes that serve as a form of seating along other parts of the path will be removed in the next 12 months. There

will be a retaining wall at the far end of the path at the new construction site which could eventually be used as seating, although it is not being designed for that purpose.

- FSDRIP partners with the San Diego Police Department, Environmental Services and the Alpha Project to remove/abate homeless encampments along the river. Their sole responsibility is cleanup after enforcement is complete. Encampments (tents) are not permitted along the river.
- The FSDRIP Advisory Committee does not have regular meeting times. The last meeting was in January 2103. It has 14 members, 3 of them from Union Square. One current member of the MVPG from Union Square (Marla Bell) sits on the Advisory Committee and two former members (Allen Jones and Lisa Gualco) have seats.

Recommendation

After an extensive discussion with city staff, it was recognized that better communication is needed between the Mission Valley Planning Group and the FSDRIP Advisory Committee given the overlapping areas. It was also noted that all property owners who are paying into the assessment district should be made aware, either individually or through their HOAs/ Property Management, of decisions that are pending regarding the district. Any further action regarding the benches along the River appears to be moot at this time until or unless the River Park Foundation chooses to address the issue or it is considered in the Mission Valley Community Plan update.

It is recommended that a MVPG member be appointed as the liaison to FSDRIP and that that individual be charged with informing the board of any pending actions that could affect the broader Mission Valley community and its residents/visitors.

Marla Bell reviewed her response to the sub committee report, copied below:

Under "What prompted this discussion?", the next to last sentence is false. "There was no public discussion of alternatives or the impact of the decision." At the subcommittee meeting, Casey Smith (MAD manager for the city who attended) said unequivocally that Union Square had been in discussions for two years with FSDRIP and the city regarding the bench removals.

The FSDRIP MAD Advisory Board agreed to remove the benches due to the problems experienced by residents/owners at Union Square. Brian Schoenfish, Robin Shifflet, Rob Hutsel, and others were all aware of the problems and had been cc'd on all e-mails

Under "What did we learn?", the 4th bullet point -- "Union Square is a gated community but has no security patrols of its own for the safety and security of its residents and property. Thus, there are no regular patrols in this area." Security patrols, by Union Square, are not allowed to patrol the easement (river walk path) since Union Square HOA granted that area as an easement to the city. It is the city's responsibility to patrol and maintain the path -- not Union Square's.

Same bullet point (4th one). "The HOA maintains that the benches along the path were used by vagrants who were noisy, dirty, and engaged in illicit activities." The correspondence shows that Union Square was concerned about the illegal activities

occurring along the path and did not use the language of “vagrants who were noisy, dirty,”

Page 2, second bullet point. "Union Square chose to pay for most of the bench removal. Several other organizations participated in funding information panels that were installed on the existing pads." This is a false statement. Union Square paid for the entire project of removing the benches and replacing the benches with the kiosk interpretive panels that are now there. The San Diego River Park Foundation was hired to make the interpretive panels and offered a \$2,000 price discount if Union Square HOA contracted by December 15, 2012 -- which Union Square HOA did. Union Square HOA paid close to \$10,000 for the project, no other source of funding was used – Union Square HOA paid in full.

Same bullet point. "The benches were not reused." The benches removed were not ADA compliant and could not be reused.

Same bullet point. "A fourth picnic table and benches were later removed from the area adjacent to the new path (by 163) beyond the Union Square homes so an informational kiosk can be installed on the existing pad." The report implies that Union Square had 4 picnic tables removed. FSDRIP removed the only picnic table last month, not at Union Square's request, although Union Square was informed of the removal.

Second page, 3rd bullet point. "There is now no seating along the north side path from 163 nearly to Camino del Este...." the statement should read “There are 2 benches near Camino del Este, just below the Lido Condominiums and there are large flat boulders at close to Mission Center Road which are currently used for sitting/resting.”

Second page, 4th bullet point. "Since no concrete pads can be added without environmental review, no new benches can be added along the FSDRIP path to rest and enjoy the river." Not true! Doris can get her HOA to come up with the money (we came up with \$10,000) to add benches to her side. They can pay for the environmental review, etc and get benches added -- nothing is stopping her.

Second page, 4th bullet point. "Furthermore, irrigation valves are being moved underground so the steel boxes that serve as a form of seating along other parts of the path will be removed in the next 12 months." These were not designed for seating and are rusting/deteriorating and no longer in use -- the city is placing them underground in order to remove the blight on the river path.

Page 2, last bullet point. "The FSDRIP Advisory Committee does not have regular meeting times." The FSDRIP Advisory Committee members receive monthly updates via e-mail and are welcome to comment and question the updates, meetings are scheduled as agenda items necessitate.

Same bullet point. "It (The FSDRIP Advisory Committee has 14 members), 3 of them from Union Square." This is an incorrect statement. Union Square has one member on the Advisory Committee.

Last page. "It was also noted that all property owners who are paying into the assessment district should be made aware, either individually or through their HOAs/Property Management, of decisions that are pending regarding the district." This is already being done by some HOA's. For example Union Square reports to its owners monthly the highlights from the FSDRIP newsletter. Every HOA should have property owner that should be reporting back to the HOA. Only property owners (or their designees) can be voting members, though the meetings are open to the public and all are welcome to attend.

Finally, this issue, while of interest to the MVPG, is overseen by an Advisory Committee composed of private property owners, some of whom have members on the MVPG. The MVPG has no jurisdiction regarding this portion of the San Diego River Trail and has no authority to request a MVPG Board member be placed on the FSDRIP Advisory Committee.

Marla Bell asked that the following Email from Michael Mellon be read into the minutes:

An email, dated 02/04/14, from member Michael Mellon regarding the subcommittee report was asked to be read into the minutes and is copied below:

Dear Planning Group Members

I would like to point out several items that may have been mischaracterized in the report from the Public Health, Safety, and Welfare Subcommittee:

1. The Subcommittee was told by City staff that the property in FSDRIP is almost all private property except a small portion owned by the City. It is a fact that Union Square does own property to the middle of the River over which the River walk passes due to a public easement granted by Union Square.
2. Union Square does not have the right of using private security to determine what part of the public (homeless or not) has use of the public easement that the City has over our property (River Walk). FSDRIP as stated in their Specific Plan has the responsibility: "In addition, the Specific Plan takes into account appropriate recreational uses, protection of public health and safety, and provides for the protection of adjacent private property." Union Square does not have the right to "police" the River Walk, the City has the responsibility for policing the River Walk.
3. The subcommittee reports on a letter sent to Union Square with 4 options. The wording in Option 1 should read, "The benches could be removed if the pads were reused for an alternative passive recreation use. However, the benches with pads could not be removed without an amendment to the FSDRIP specific plan." The language that should have been included is in red. Union Square chose the option to reuse the pads for an alternative passive recreation use, therefore no amendment was required.
4. Union Square paid for the total bench removal and a majority of the new informational kiosks installed.

5. Union Square does not have 3 members on the FSDRIP Advisory Committee and Marla Bell was not on the Advisory Committee when the bench proposal came before the Advisory Committee.

6. Property owners are represented on the FSDRIP Advisory Committee by HOAs, Management Companies, or individuals, if they choose to participate, who have the responsibility to communicate FSDRIP information to whomever they represent.

Marla Bell asked that a copy of the subcommittee meeting notice and her response, which she distributed during the MVPG meeting be entered into the minutes:

Copy of Notice of The Public Health, Safety and Welfare Subcommittee of the Mission Valley Planning Group emailed to Board members on January 30, 2014.

**San Diego River Path . . .
Whose Path Is It?**

The Public Health, Safety and Welfare Subcommittee of the Mission Valley Planning Group (MVPG) has been asked to review how decisions are made for the area along the San Diego River, particularly the river path.

A new San Diego River Park Master Plan recently was adopted by the City describing various uses for the River Park. The intent is to have a beautiful river park that can be enjoyed by all – while preserving the river as a valuable natural resource.

Recently, many of the benches and picnic tables along the river path have been removed with no notice and no input from those who use the path. The benches were removed because some homeowners living along the river were being disturbed by some of those using the benches for lawful and unlawful activities.

The Subcommittee will learn who/how decisions are made about the path and its amenities, particularly in the FSDRIP section, and develop recommendations for how to accommodate the needs of all of those using the path and those living near it.

The Subcommittee will convene a public meeting
Thursday, January 30
3 p.m.
Mission Valley Library

If you are concerned about how decisions are made for the river path, and in whose interest they are made, please come. If you have ideas about how to make the path safe and peaceful for all, please come.

Marla Bells's response to The Public Health, Safety and Welfare Subcommittee meeting invitation.

January 30, 2014

MVPG Subcommittee Meeting

Union Square Rebuttal (by Marla Bell) to “San Diego River Path... Whose Path Is It?”

Several exaggerations found in the subcommittee invitation notice! “Many benches and picnic tables along the river path have been removed.” Not true. Three benches and one picnic table were removed. Considering the total number of benches and picnic tables along the river, this is a drop in the bucket.

“The benches were removed because some homeowners living along the river were being disturbed by some of those using the benches for lawful and unlawful activities.” Again, not true. Union Square does not object to lawful activity. But the problem is that the benches are homeless magnets and were being used solely by homeless engaged only in unlawful activities – drinking alcohol, drug use, unleashed dogs, urinating, defecating, sex, sleeping, fighting, starting fires, eating then tossing leftovers and rubbish to the ground or into the river area and/or river, etc. A very “rough” crowd lived there – not many other than the homeless went back there day or night – unless the occasional person who did not know better managed to wander back there in error. This went beyond mere “disturbances.” Our safety was at risk as well as our property values.

“...with no notice and no input from those who use the path.” Again, not true. Over 200 people live at Union Square and wanted to use the path but did not feel safe doing so due to the dangerous homeless element.

Our voices were heard and we paid \$10,000 to have the 3 benches removed last year and replaced with the kiosks that are there now (the City, with no advocacy or objection from us, removed the picnic bench 3-4 weeks ago). The bench removal was approved by FSDRIP’s advisory board and was known by Robin Shifflet, Brian Schoenfisch, and others in city planning and parks depts. This process took months and in the end the City removed the benches – at Union Square’s sole expense.

To preserve the river as a “valuable natural resource,” we need to get the homeless and their camps out! What kind of “beautiful river park that can be enjoyed by all” do we have if it is being used as a public toilet and cesspool by the homeless? (Why all the fuss about 3 benches when there are more dire things occurring along the river?)

By removing 3 benches directly behind our homes, we eliminated places where the homeless congregate. The homeless are still here, but in much smaller numbers. Our homeless problems should now be more on par with most other residential properties along the river and in Mission Valley.

Union Square is the only residential property with a trolley stop at our front door dropping off the homeless every 15 minutes, cheap liquor across the street (Food4Less), and a secluded river walk path in our backyard. This is a “perfect storm” of negative factors fostering illegal activity primarily by the homeless. (The new river path extension provides a long retaining wall of new seating! Ugh!)

Based on recommendations from the SDPD, Union Square will adamantly oppose restoring any benches or any other type of seating behind Union Square due to the

magnitude of problems associated with the homeless. When placing seating or other such amenities close to residential uses, each residential property must be assessed individually and a customized arrangement must be made to suit each individual situation. Blanket rules have no place or relevance in these types of settings.

Union Square is located in FSDRIP, which is a collection of private property owners funding a MAD. Union Square's private property extends half-way across the river and a "public access easement" for the river walk path has been granted over our private property. Union Square's private property is subject to FSDRIP agreements, the FSDRIP Specific Plan, and MAD (to which our HOA strictly adheres).

There was further Board discussion about the decision making process for removing the benches on the San Diego River Trail near the Union Square Condos, and that the removal of the benches was final and irreversible. There was discussion of the role, if any, of MVPG in the process.

Brian Schoenfisch discussed the City planning procedures for approval and amending of previous projects and future projects of a similar nature and assured members that representatives from the City of San Diego parks department will attend MVPG meetings to keep members informed when similar issues are being considered in the future.

4. Miscellaneous Mail

No Mail.

Josh Weiselberg noted that the Mission Valley post office has moved and is open for business.

L. ADJOURNMENT – There being no further business to be brought before the Committee, the meeting was adjourned at 2:05 p.m. The next meeting will be on Wednesday, March 05, 2014 at 12:00 p.m. at the Mission Valley Library, Community Room.

John Nugent, Secretary